

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA

FILED

APR 09 2010

JOHN F. CORCORAN, CLERK  
BY:

DEPUTY CLERK

CAROL L. HAKEY,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

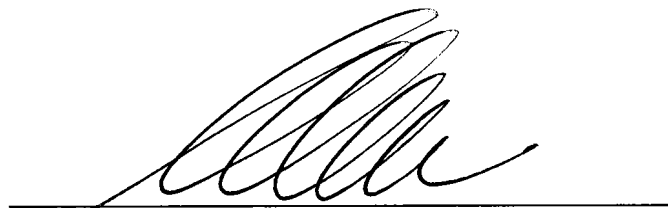
Civil Action No. 5:09CV00022

**FINAL ORDER**

By: Samuel G. Wilson  
United States District Judge

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable James G. Welsh, United States Magistrate Judge. The Magistrate Judge has filed a report recommending that an order be entered denying the summary judgment motions of both parties, vacating the Commissioner's decision, and remanding the case to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. Objections to the report and recommendation have not been filed and the court is of the opinion that the report should be adopted. It is accordingly, **ORDERED** and **ADJUDGED** that the motions for summary judgment by both parties are **DENIED**, final decision of the Commissioner denying benefits is **VACATED**, the case is **REMANDED** to the Commissioner for further proceedings in accordance with the report and recommendation, and this case is **ORDERED** stricken from the docket of the court.

**ENTER:** This April 9, 2010.

  
UNITED STATES DISTRICT JUDGE